

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION**

GULFSTREAM AEROSPACE )  
CORPORATION, )  
 )  
Plaintiff, )  
v. )  
 )  
OCELTIP Aviation 1 PTY LTD, )  
 )  
Defendant. )

Case No. CV416-127

**ORDER**

The Court has before it litigation by two parties who sought to avoid litigation. Gulfstream Aerospace Corporation (Gulfstream) agreed to sell Gulfstream aircraft to OCELTIP Aviation 1 PTY LTD (OAPL). Their sales contract provided for arbitration if their deal went south. Doc. 14-1 at 10-23. It did. *Id.* They arbitrated, and Gulfstream filed this action to enforce the resulting arbitration award. Doc. 1, *as amended*, doc. 14.

Opposing, OAPL filed its own arbitration-related proceeding in State court and moves to stay these proceedings. Doc. 7 at 2 (insisting that, even though it filed its State court proceeding after Gulfstream filed this action, its proceeding should preempt this one because, *inter alia*, “[i]t is clear that

[Gulfstream's case here] was filed as a defensive tactic. . . ."). Gulfstream removed that case to this Court. *OCELTIP Aviation 1 PTY LTD v. Gulfstream Aerospace Corporation*, CV416-177 (S.D. Ga. June 29, 2016). OAPL moves to remand it back to State court. Doc. 17.

The Court **DENIES** OAPL's Motion To Stay this case, CV416-127, doc. 7, because reaching it would require analysis necessarily intertwined with that which the district judge must undertake to resolve Gulfstream's application to confirm the arbitration award, doc. 1, *as amended*, doc. 14. The same must be said for reaching OAPL's motion to remand in CV416-177, doc. 17. Hence, it would inappropriate for the undersigned to prevent (stay) the parties from arguing (litigating) their respective positions to the district judge.

However, it does make sense to **GRANT** Gulfstream's consolidation motion in CV416-177, doc. 9. The Clerk therefore shall consolidate CV416-177 into this case and **CLOSE** CV416-177. Also, the Clerk shall **TERMINATE** Gulfstream's "Motion to Amend," CV416-127, doc. 14, because it is not a motion, yet was erroneously characterized that way when filed. Finally, the Court **GRANTS** the motion for Leave to Appear

*Pro Hac Vice* in CV416-177, doc. 18.

**SO ORDERED**, this 22nd day of August, 2016.

A handwritten signature in blue ink, appearing to read "J.R. Smith", is positioned above a horizontal line.

UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA